

**FILED**  
**United States Court of Appeals**  
**Tenth Circuit**

**UNITED STATES COURT OF APPEALS**

**FOR THE TENTH CIRCUIT**

**December 3, 2024**

**Christopher M. Wolpert**  
**Clerk of Court**

BLACK EMERGENCY RESPONSE  
TEAM, et al.,

Plaintiffs - Appellants/Cross-  
Appellees,

v.

GENTNER DRUMMOND, in his official  
capacity as Oklahoma Attorney General, et  
al.,

Defendants - Appellees/Cross-  
Appellants,

and

UNIVERSITY OF OKLAHOMA BOARD  
OF REGENTS, et al.,

Defendants.

Nos. 24-6139, 24-6140 & 24-6141  
(D.C. No. 5:21-CV-01022-G)  
(W.D. Okla.)

**ORDER**

By order entered August 6, 2024, the court abated these cross-appeals pending the district court's certification of state law questions to the Oklahoma Supreme Court. These cross-appeals are now before the court on appellants' abated case status report.

Appellants report that the district court has certified six (6) questions to the Oklahoma Supreme Court, the certified questions have been assigned to the Oklahoma Supreme Court, and a motion for briefing and oral argument concerning the certified questions has

been filed. However, appellants report, the Oklahoma Supreme Court has not ruled on the motion or otherwise taken any action concerning the certified questions.

Upon consideration, the court continues the abatement of these cross-appeals. On the earlier of March 3, 2025 or within five days of any event that materially affects the abatement of these cross-appeals, appellants shall file an abated case status report that reports on the status of these matters. At a minimum, any such abated case status report shall advise the court of each party's respective position concerning whether the abatement of these cross-appeals ought to continue and, if any party contends that the abatement should not continue, that party's position on how these cross-appeals ought to proceed.

Entered for the Court

A handwritten signature in black ink, appearing to read 'Christopher M. Wolpert', with a long horizontal stroke extending to the right.

CHRISTOPHER M. WOLPERT, Clerk